

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6800 MANCHACA ROAD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No. C14-2008-0142, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district.

A 1.811 acre tract of land, more or less, out of Lot 4, C.T. Baker Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Two: From family residence (SF-3) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district.

A 2.792 acre tract of land, more or less, out of Lot 4, C.T. Baker Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance  
(the tracts collectively known as the "Property"),

locally known as 6800 Manchaca Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are conditional uses of the Property:

Community recreation (private)

Community recreation (public)

1  
2 B. The following uses are prohibited uses of the Property:  
3

4 Automotive repair services Automotive rentals  
5 Automotive sales Automotive washing (of any type)  
6 Bail bond services Business or trade school  
7 Business support services Commercial off-street parking  
8 Communication services Drop-off recycling collection facility  
9 Exterminating services Food preparation  
10 Funeral services Hospital services (general)  
11 Hotel-motel Indoor entertainment  
12 Indoor sports and recreation Outdoor entertainment  
13 Outdoor sports and recreation Pawn shop services  
14 Personal improvement services Research services  
15 Residential treatment Theater  
16

17 C. A site plan or building permit for the Property may not be approved,  
18 released, or issued, if the completed development or uses of the Property,  
19 considered cumulatively with all existing or previously authorized  
20 development and uses, generate traffic that exceeds 2,000 trips per day.  
21

22 Except as specifically restricted under this ordinance, the Property may be developed and  
23 used in accordance with the regulations established for the respective base districts, the  
24 mixed use (MU) combining district, and other applicable requirements of the City Code.  
25

26 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2008.  
27

28  
29 **PASSED AND APPROVED**

30  
31 §  
32 §  
33 \_\_\_\_\_, 2008 § \_\_\_\_\_  
34 Will Wynn  
35 Mayor  
36

37  
38 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
39 David Allan Smith Shirley A. Gentry  
40 City Attorney City Clerk

**EXHIBIT A****LEGAL DESCRIPTION**

BEING A 1.811 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE LEGAL DESCRIPTION HEREIN IS INTENDED FOR THE PROPOSED REZONING OF LOT 4, C. T. BAKER SUBDIVISION AND NOT TO BE USED FOR THE CONVEYANCE OF ANY PORTION OF LOT 4, C. T. BAKER SUBDIVISION, SAID 1.811 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS :

COMMENCING for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing and along the common dividing line of the said Lot 4 and the said Lot 11-E a Total Distance of 10.00 feet to a point for the southeast corner of and **POINT OF BEGINNING** of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and the said Lot 11-E

THENCE along the common dividing line of the said Lot 4 and the said Lot 11-E, the following two courses:

- 1) North 80°41'21" West, a distance of 70.02 feet to a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;
- 2) North 62°15'37" West, a distance of 370.83 feet to a point for the southwest corner of the herein described 1.811 acre tract of land, same being the northwest corner of Lot 11-D of the said Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, same being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 47, Page 84, Plat Records of Travis County, Texas and from this point the southwest corner of the said Lot 4, C. T. Baker Subdivision bears North 62°15'37" West, a distance of 624.79 feet to a one-half inch iron rod in concrete found;

THENCE North 27°40'39" East, through said Lot 4, a distance of 190.89 feet to a point for the northwest corner of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a one-half inch iron rod found for the northwest corner of the said Lot 4, same being the southwest corner of the said Lot 3, bears North 62°15'37" East, a distance of 701.90 feet;

THENCE along the common dividing line of the said Lot 3 and the said Lot 4, the following two (2) courses:

- 1) South 62°15'37" East, a distance of 310.14 feet to a ninety d nail found for an interior angle corner of the herein described 1.811 acre tract of land and the said Lot 4, same being an exterior angle corner of the said Lot 3;
- 2) South 80°16'24" East, a distance of 68.81 feet to a point for the northeast corner of the herein described 1.811 acre tract of land and from this point a three-

# CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING

ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 585-1388

## (BEING A 1.811 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION)

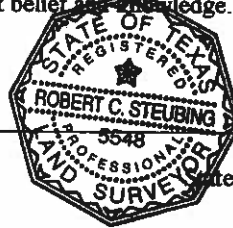
quarter inch diameter pipe found adjacent to a chain link corner post for the northeast corner of the said Lot 4, same being the southeast corner of the said Lot 3 and a point on the west right of way line of the said Manchaca Road bears South 80°16'24" East, a distance of 10.00 feet;

**THENCE** South 09°42'00" West, through said Lot 4, a distance of 199.86 feet to the **POINT OF BEGINNING**, and containing 1.811 acres of land, more or less, within these metes and bounds.

**BASIS OF BEARINGS** for this survey is the east line of the said Lot 4, as South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best belief and knowledge.

*Robert C. Steubing*  
Robert C. Steubing  
Registered Professional Land Surveyor



*10/07/08*  
Date  
State of Texas - No. 5548

**EXHIBIT B****LEGAL DESCRIPTION**

**BEING A 2.792 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE LEGAL DESCRIPTION HEREIN IS INTENDED FOR THE PROPOSED REZONING OF LOT 4, C. T. BAKER SUBDIVISION AND NOT TO BE USED FOR THE CONVEYANCE OF ANY PORTION OF LOT 4, C. T. BAKER SUBDIVISION, SAID 2.792 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS :**

**COMMENCING** for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

**THENCE** North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing for a **Total Distance** of 80.02 feet a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;

**THENCE** North 62°15'37" West, along the common dividing line of the said Lot 4 and the said Lot 11-E, a distance of 370.83 feet to a point for the southeast corner of and **POINT OF BEGINNING** of the herein described 2.792 acres of land, same being the northwest corner of Lot 11-D of the said Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I and being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 47, Page 84, Plat Records of Travis County, Texas;

**THENCE** North 62°15'37" West, along the common dividing line of the said Lot 4, and the said Shier Cliff-I subdivision a distance of 624.79 feet to a one-half inch iron rod in concrete found for the southwest corner of the said Lot 4 and the herein described 2.792 acre tract of land, same being the northwest corner of Lot 1, Shier Cliff-I and a point on the east line of Lot 1, Block B, The Arbors At Cannon's Gate, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in document number 200200166 Official Records Travis County, Texas;

**THENCE** along the common dividing line of the said Lot 4, C. T. Baker Subdivision and the said Lot 1, The Arbors At Cannon's Gate the following two (2) courses:

- 1) North 30°01'44" East, a distance of 155.29 feet to a one-half inch iron rod in concrete found for an interior angle corner of the herein described 2.792 acre tract of land and the said Lot 4, same being the northeast corner of the said Lot 1, The Arbors At Cannon's Gate;
- 2) North 58°41'32" West, a distance of 104.31 feet to a one-half inch iron rod found for the upper southwest corner of the herein described 2.792 acre tract of land and the said Lot 4, same being a point on the north line of the said Lot 1, The Arbors At Cannon's Gate and the southwest corner of an apparent 20 foot private lane as depicted on the plat of C. T. Baker Subdivision;

**THENCE** North 62°53'33" East, along the common dividing line of the said Lot 4

# CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING

ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78862 • PHONE (512) 585-1388

**(BEING A 2.792 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION)**

and the said private Lane a distance of 35.76 feet to a one-half inch iron rod found for the northwest corner of the said Lot 4, same being the southwest corner of the said Lot 3, and a point on the east line of the said private lane;

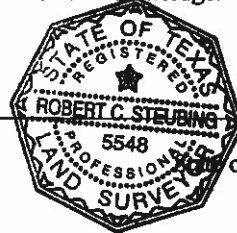
**THENCE** South  $62^{\circ}15'37''$  East, along the common dividing line of the said Lot 4 and the said Lot 3, a distance of 701.90 feet to a point for the northeast corner of the herein described 2.792 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a three-quarter inch pipe found adjacent to a chain link post for the northeast corner of the said Lot 4 and the southeast corner of the said Lot 3, bears the following two (2) courses: 1) South  $62^{\circ}15'37''$  East, a distance of 310.14 feet to a ninety d nail found for an interior angle corner of the said Lot 4, same being an exterior angle corner of the said Lot 3, 2) South  $80^{\circ}16'24''$  East, a distance of 78.81 feet;

**THENCE** South  $27^{\circ}40'39''$  West, through said Lot 4, a distance of 190.89 feet to the **POINT OF BEGINNING** and containing 2.792 acres of land, more or less, within these metes and bounds.

**BASIS OF BEARINGS** for this survey is the east line of the said Lot 4, as South  $09^{\circ}42'00''$  West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best belief and knowledge.

*Robert C. Steubing*  
Robert C. Steubing  
Registered Professional Land Surveyor

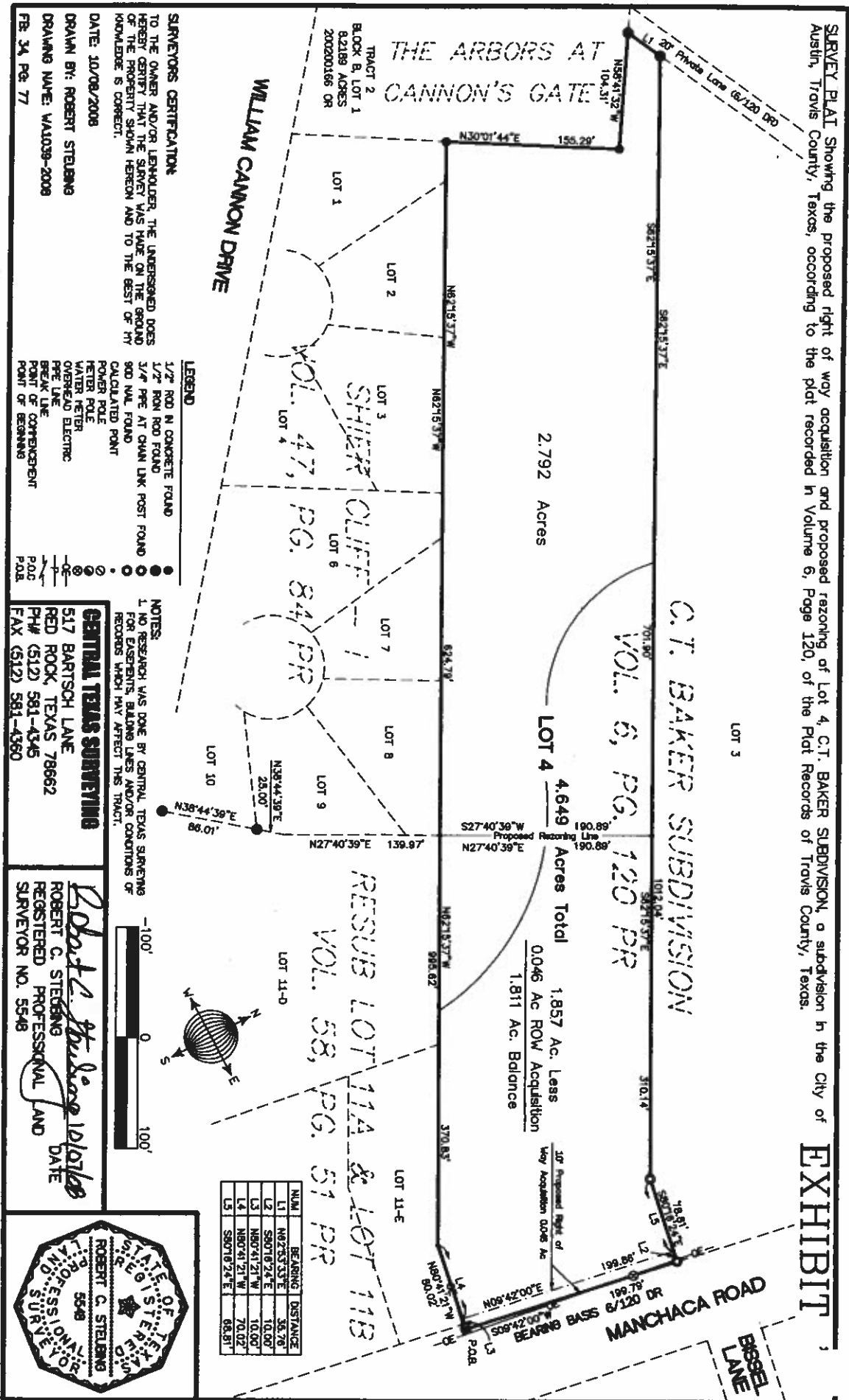


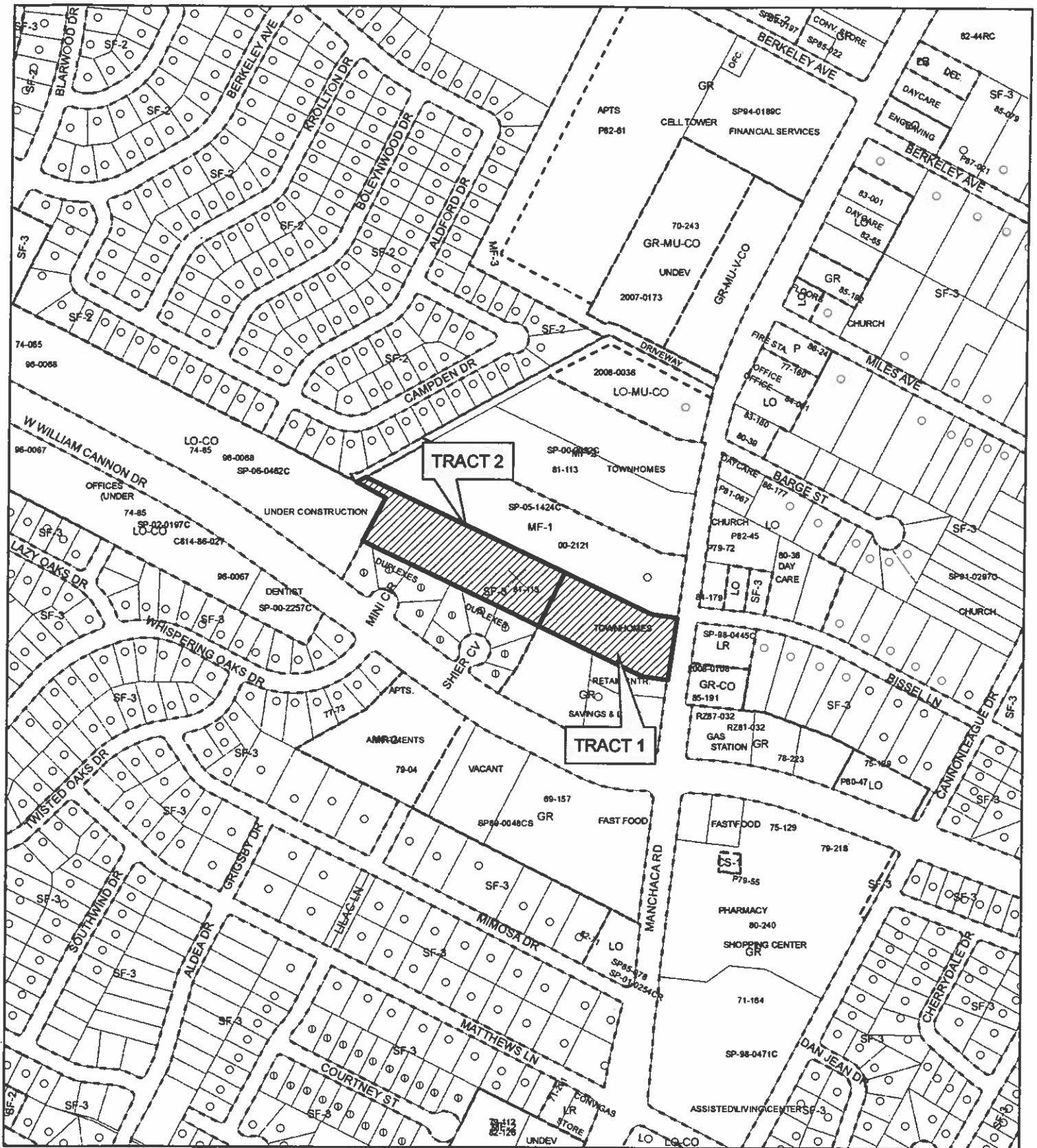
*10/07/08*  
Date

of Texas - No. 5548

SURVEY PLAT Showing the proposed right of way acquisition and proposed rezoning of Lot 4, C.T. BAKER SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 6, Page 120, of the Plat Records of Travis County, Texas.




EXHIBIT





# ZONING EXHIBIT C



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS

ZONING CASE#: C14-2008-0142  
 ADDRESS: 6800 MANCHACA RD  
 SUBJECT AREA: 4.77 ACRES  
 GRID: F17  
 MANAGER: W. RHOADES



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**STREET DEED**

**STATE OF TEXAS**

§

§

**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF TRAVIS**

§

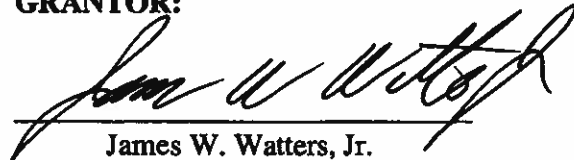
That James W. Watters, Jr., of Travis County, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the City of Austin, Texas, P.O. Box 1088, Austin, Texas 78767-1088, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day Granted, Sold and Conveyed, and by these presents do hereby Grant, Sell and Convey, unto the said City of Austin, a municipal corporation situated in Travis County, Texas, for street purposes, the following described property:

A 0.046 acre tract of land, more or less, being a portion of Lot 4, C.T. Baker Subdivision, in Travis County, and being more particularly described by metes and bounds in Exhibit "A" incorporated into this deed.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Austin, its successors and assigns forever; and Grantor, whether one or more, does hereby bind itself, its executors, administrators, successors and assigns, to warrant and defend the property against every person whomsoever lawfully claiming or to claim the same or any part hereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the 27th day of October, 2008.

**GRANTOR:**

  
James W. Watters, Jr.

THE STATE OF TEXAS

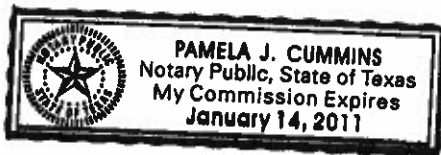
§

COUNTY OF TRAVIS

§

§

This instrument was acknowledged before me on this the 24<sup>th</sup> day of October, 2008, by James W. Watters, Jr.



*Pamela J. Cummins*  
Notary Public, State of Texas

Address of Grantor:

6800 Manchaca Road  
Austin, Texas 78745

**AFTER RECORDING RETURN TO:**

City of Austin  
Law Department  
P.O. Box 1088  
Austin, Texas 78767-1088  
Attn: Diana Minter, Paralegal

C14-2008-0142

**CENTRAL TEXAS SURVEYING**

PROFESSIONAL LAND SURVEYING  
ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 585-1388

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**BEING A 0.046 ACRE STRIP OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, SAID 0.046 ACRE TRACT OF LAND BEING A TEN FOOT STRIP OF LAND TO BE ACQUIRED FOR FUTURE ROAD WIDENING PURPOSES AND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a one-half inch iron rod found for the southeast corner of the said Lot 4 and the herein described 0.046 acre tract of land, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

**THENCE** North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing and along the common dividing line of the said Lot 4 and the said Lot 11-E a **Total Distance** of 10.00 feet to a point for the southwest corner of the herein described 0.046 acre tract of land, same being a point on the common dividing line of the said Lot 4 and the said Lot 11-E and from this point the southwest corner of the said Lot 4, bears the following two (2) courses: 1) North 80°41'21" West, a distance of 70.02 feet to a point, 2) North 62°15'37" West, a distance of 995.62 feet to a one-half inch iron rod found in concrete;

**THENCE** North 09°42'00" East, ten foot perpendicular distance from and parallel to the east line of the said Lot 4 and through said and severing from said Lot 4, a distance of 199.86 feet to a point for the northwest corner of the herein described 0.046 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a ninety d nail found for an interior angle corner of the said Lot 4 and an exterior angle corner of the said Lot 3, bears North 80°16'24" West, a distance of 68.81 feet;

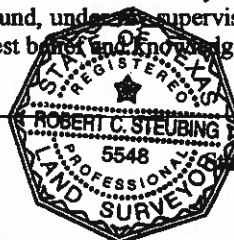
**THENCE** South 80°16'24" East, a distance of 10.00 feet to a three-quarter inch diameter pipe found adjacent to a chain link corner post for the northeast corner of the said Lot 4, same being the southeast corner of the said Lot 3 and a point on the west right of way line of the said Manchaca Road;

**THENCE** South 09°42'00" West, along the common dividing line of the said Lot 4 and the said Manchaca Road a distance of 199.79 feet to the **POINT OF BEGINNING**, and containing 0.046 acres of land, more or less, within these metes and bounds.

**BASIS OF BEARINGS** for this survey is the east line of the said Lot 4, as South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best knowledge.

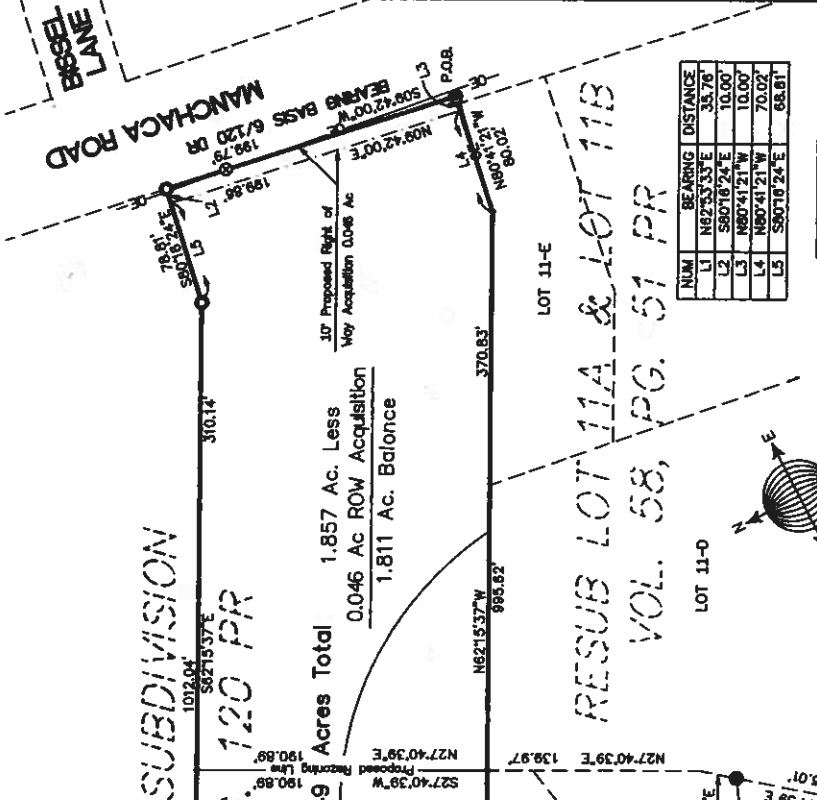
*Robert C. Steubing*  
Robert C. Steubing  
Registered Professional Land Surveyor



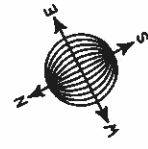
10/07/08  
Date  
State of Texas - No. 5548

# EXHIBIT "D"

SUBDIVISION, a subdivision in the City of  
of Travis County, Texas.



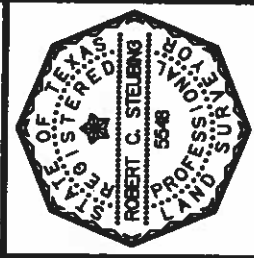
NUM	BEARING	DISTANCE
L1	N62°33'33"E	35.76'
L2	S80°16'24"E	10.00'
L3	N80°41'21"W	10.00'
L4	N80°41'21"W	70.02'
L5	S80°16'24"E	68.01'



NOTES:  
1. NO RESEARCH WAS DONE BY CENTRAL TEXAS SURVEYING FOR EASEMENTS, BUILDING LINES AND/OR CONDITIONS OF RECORDS WHICH MAY AFFECT THIS TRACT.

**CENTRAL TEXAS SURVEYING**  
517 BARTSCH LANE  
RED ROCK, TEXAS 78662  
PH# (512) 581-4345  
FAX (512) 581-4360

Robert C. Steeb 10/07/08  
DATE  
ROBERT C. STEEB  
REGISTERED PROFESSIONAL LAND  
SURVEYOR NO. 5548



**SURVEYORS CERTIFICATION:**  
TO THE OWNER AND/OR LEASEHOLDER, THE UNDERSIGNED DOES  
HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUND  
OF THE PROPERTY SHOWN HEREON AND TO THE BEST OF MY  
KNOWLEDGE IS CORRECT.

DATE: 10/08/2008  
DRAWN BY: ROBERT STEUBING  
DRAWING NAME: WA1039-2008  
FB 34, PG: 77

**LEGEND**

●	1/2" ROD IN CONCRETE FOUND
●	1/2" ROD NON FOUND
○	3/4" PFE AT CHAIN LINK POST FOUND
○	3/4" PFE AT CHAIN LINK POST NOT FOUND
○	900 NAIL FOUND
○	CALCULATED POINT
○	POWER POLE
○	PETER POLE
○	WATER PETER
○	OVERHEAD ELECTRIC
○	PIPE LINE
○	PIPE LINE
○	POINT OF COMMENCEMENT
○	POINT OF BEGINNING